IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO. 2878 OF 2005

IN

FIRST APPEAL NO. 294 OF 2005

Shaila Janardan Zendekar..... ... Applicant.

Versus

The New India Assurance Co.Ltd.
and another. .... Respondents.

-: ALONG WITH :-

CIVIL APPLICATION NO. 2879 OF 2005
IN
FIRST APPEAL NO. 352 OF 2005

Janardan Balaram Zendekar..... ... Applicant.

Versus

The New India Assurance Co.Ltd.
and another. .... Respondents.

Mr. T. J.Mendon for the Applicants.

Mr. S. M. Dange for Respondent No.1.

Mr. C. G. Gavnekar for Respondent No.2.

CORAM: D.G.DESHPANDE, J.

DATE : 22ND JULY, 2005

P.C.:

Both these applications filed by the Respondents / Applicants herein are for permission to withdraw the amount deposited by the Insurance Company. Both the

Applicants were victims of the accident. They suffered permanent partial disablement. As per the order of the lower Court, the Appellant has deposited the decretal amount before the Tribunal and High Court. Looking to the fact that the Applicants suffered injuries only, they are permitted to withdraw 50% of the amount so deposited upon their furnishing security to the satisfaction of the Tribunal and the remaining 50% to be invested by the Tribunal in a nationalised bank initially for a period of three years and to renew the same thereafter till further orders.

Both the Civil Applications are disposed of, accordingly.

Certified copy expedited.

Sd/-

(D.G.DESHPANDE,J.)